

AF/2815
JW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

WILLIAM P. STEARNS ET AL.

Serial No. 09/678.318 (TI-25833.1)

Filed October 3, 2000

For: OPTIMIZED CIRCUIT DESIGN LAYOUT FOR HIGH
PERFORMANCE BALL GRID ARRAY PACKAGES

Art Unit 2815

Examiner Paul E. Brock, II

Customer No. 23494

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached document is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to Director of the United States Patent and Trademark Office, P.O. Box 1450,, Alexandria, VA 22313-1450 or is being facsimile transmitted on the date indicated below:

Jay M. Cantor. Reg. No. 19,906

Sir:

SUPPLEMENTAL REPLY BRIEF

In reply to the Supplemental Examiner's Answer, in addition to the arguments presented in the Brief on Appeal and Reply Brief, which are incorporated herein by reference, the application was remanded to the examiner for the purpose of providing a Supplemental Answer, the specific purpose of the remand being stated in the paragraph of the REMAND bridging pages 2 and 3 thereof.

As stated in the full paragraph of the REMAND, "[a] central issue on appeal is whether Ohsawa describes, within the meaning of § 102, the claim 1 requirement that 'each

trace of each of said pair of traces being spaced from the other trace of said pair by up to a ball pitch, being maximized for identity in length and having up to one ball pitch difference in length and being maximized for parallelism and spacing”. The examiner now alleges that this has been shown in the Supplemental Examiner’s Answer. However, this is clearly not the case.

The showing is allegedly set forth in the last paragraph on page 4 of the Supplemental Examiner’s Answer where it is stated “Ohsawa discloses in figure 3j providing a plurality of pairs of traces on the surface, each trace of each of the pairs of traces extending to a different one of the ball pads and extending to ball pads on a plurality of the rows and columns, each trace of each of the pair of traces being spaced from the other trace of the pair by up to a ball pitch, being maximized for identity in length and having up to one ball pitch difference in length and being maximized for parallelism and spacing”.

As is readily apparent, there is no reference to any portion of the specification to support the allegation made in the Supplemental Examiner’s Answer and a reading of Ohsawa with reference to figure 3j nowhere mentions or in any way suggests that which the examiner has alleged. This is also the case with reference to the newly added “Explanation of figure 3j of Ohsawa”. Again, nowhere is there a reference made to the specification and particularly to the description relative to figure 3j. As to the drawings, the alleged dimensions concocted by the examiner are a figment of his imagination and not supported by the drawings. In fact, it is basic case law that the drawings in patent application are not drawn to scale even were there to be some correspondence in dimensions, which there clearly is not. It follows that the supplemental material in the Supplemental Examiner’s Answer is not supported by the disclosure of Ohsawa and has no basis in fact.

For the reasons stated above as well as for the reasons stated in the Brief on Appeal and Reply Brief, with reference to all of the appealed claims, reversal of the rejected claims is urged that justice be done in the premises.

Respectfully submitted,

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7-22-05

[Signature]

Jay M. Cantor, Reg. No. 19,906

Sir:

RESPONSE TO PAPER DATED JUNE 29, 2005

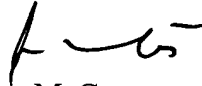
A paper was received dated June 29, 2005 stating that the application was returned to the Examiner to perform certain listed duties and stating that the paper is a response thereto.

It is respectfully submitted that the papers attached thereto are a copy of claim 28 on appeal and a copy of the SUPPLEMENTAL EXAMINER'S ANSWER which was mailed originally on August 26, 2004. A reply thereto entitled SUPPLEMENTAL REPLY BRIEF was filed by mail on September 27, 2004. Accordingly, the response to the

SUPPLEMENTAL EXAMINER'S ANSWER has been filed and nothing further is believed to be required by applicants.

Action on the appeal is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Cantor', with a stylized flourish at the end.

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